

***[NO MINUTES WERE GENERATED FOR
MONDAY, SEPTEMBER 6, 2010,
IN OBSERVANCE OF LABOR DAY HOLIDAY.]***

1582

**SUPREME COURT MINUTES
TUESDAY, SEPTEMBER 7, 2010
SAN FRANCISCO, CALIFORNIA**

S183513 B220334 Second Appellate District, Div. 4 **CARROLL (CHRISTOPHER)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S183670 F056463 Fifth Appellate District **PEOPLE v. VIDAL (JORGE
JUNIOR)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S183930 B214006 Second Appellate District, Div. 5 **PEOPLE v. SALDANA
(EDGAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S183960 F058495 Fifth Appellate District **PEOPLE v. SAECHAO (LAI
SENG)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184079 A125182 First Appellate District, Div. 3 **SHIPPMAN (ROBERT) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2010.

S184080 F056711 Fifth Appellate District **PEOPLE v. MORGAN (JASON
S.)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184183 H032926 Sixth Appellate District

**PEOPLE v. GRIFFITH
(CHRISTOPHER L.)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184186 F056841 Fifth Appellate District

**PEOPLE v. DELRIO
(JOHNNY)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184188 D057442 Fourth Appellate District, Div. 1

MENA (INOCENTE) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184197 A128878 First Appellate District, Div. 1

**GOLDEN GATE REGIONAL
CENTER v. S.C. (PEOPLE &
TAUTOLO)**

Time extended to grant or deny review

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184199 B220858 Second Appellate District, Div. 1

**REESE III (THOMAS) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184201 B212315 Second Appellate District, Div. 4

**PEOPLE v. MEDINA
(EDUARDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184211 F056609 Fifth Appellate District

**PEOPLE v. ECHEVARRIA
(MYRA)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184216 A119963 First Appellate District, Div. 1 **PEOPLE v. WILSON
(ANTHONY ROSIER)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184229 E048028 Fourth Appellate District, Div. 2 **PEOPLE v. WINE (DAVID
LEROY)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184231 F058705 Fifth Appellate District **LEON (TIMOTHY J.) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184291 G041204 Fourth Appellate District, Div. 3 **PEOPLE v. PACHECO
(RAFAEL ANGEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184293 E048184 Fourth Appellate District, Div. 2 **PEOPLE v. CASAS (JORGE
JOSE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2010. This order is entered nunc pro tunc as of September 3, 2010.

S184322 E047245 Fourth Appellate District, Div. 2 **PEOPLE v. WEED (DAVID
ARTHUR)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2010.

S184334 B225010 Second Appellate District, Div. 2 **BURZA (PETER) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2010.

S184341 D054945 Fourth Appellate District, Div. 1 **PEOPLE v. DELOERA, SR.,
(LUIS)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184344 B212210 Second Appellate District, Div. 3 **PEOPLE v. CHUNG (KEITH)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184345 C065312 Third Appellate District **RAY (KENT) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184351 A128903 First Appellate District, Div. 4 **HEDEMARK (KEVIN
MICHAEL) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184354 B210240 Second Appellate District, Div. 7 **PEOPLE v. KEATING
(NORMAN KENNETH)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184375 G042197 Fourth Appellate District, Div. 3 **PEOPLE v. NUNLEY-
HATZENBUHLER (TIFFANY
LYNN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184395 B208461 Second Appellate District, Div. 3 **PEOPLE v. ROMAN
(GUNARO ROCHA)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184399 H033228 Sixth Appellate District

**TWC STORAGE LLC. v.
STATE WATER RESOURCES
CONTROL BOARD**

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184403 F057852 Fifth Appellate District

PEOPLE v. BAILEY (DINO)

The time for granting or denying review in the above-entitled matter is hereby extended to October 8, 2010.

S184429 C061941 Third Appellate District

**PEOPLE v. DESHON (RICK
DAVE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 12, 2010.

S184453 B224788 Second Appellate District, Div. 8

**PELCHAT (DANIEL
ROLAND) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 13, 2010.

S184480 B212529 Second Appellate District, Div. 1

**PEOPLE v. BECKLEY, JR.,
(ALBERT JEROME)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 13, 2010.

S184491 C062466 Third Appellate District

ROSS (TIMOTHY) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to October 13, 2010.

S184499 A127073 First Appellate District, Div. 5

**SIMENSTAD (MICHAEL A.)
v. INCIDENT REVIEW
COMMITTEE OF BOARD OF
PILOT COMMISSIONERS**

The time for granting or denying review in the above-entitled matter is hereby extended to October 14, 2010.

S184503 A128873 First Appellate District, Div. 5 **R.T. v. S.C. (PEOPLE)**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 14, 2010.

S184507 E051162 Fourth Appellate District, Div. 2 **MOLINA (MANUEL) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 14, 2010.

S184512 G042127 Fourth Appellate District, Div. 3 **PEOPLE v. BENNER
(MELANIE MARIE)**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 14, 2010.

S184520 A128383 First Appellate District, Div. 2 **YU (MELVIN) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 14, 2010.

S184523 C065251 Third Appellate District **HERNANDEZ (GILBERT) ON
H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 14, 2010.

S186072 C065920 Third Appellate District **BECKLEY (JOSHUA) v.
SCHWARZENEGGER
(ARNOLD)/(PERRY)**
Respondents are directed to serve and file, by letter brief, any answer to the petition for review in
the above-captioned matter on or before 9:00 a.m. on Wednesday, September 8, 2010. Any reply
to the answer is to be served and filed, by letter brief, on or before 12:00 noon on Wednesday,
September 8, 2010. No request for extension of time will be granted.

S034800 **PEOPLE v. DeHOYOS
(RICHARD LUCIO)**

Extension of time granted
Good cause appearing, and based upon Deputy State Public Defender Gary D. Garcia's
representation that he anticipates filing the appellant's reply brief by May 10, 2011, counsel's
request for an extension of time in which to file that brief is granted to November 8, 2010. After
that date, only three further extensions totaling about 180 additional days are contemplated.

S048763**PEOPLE v. NELSON (SERGIO
DUJUAN)**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's reply brief is granted to November 8, 2010. The court anticipates that after that date, only one further extension totaling about 30 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S067394**PEOPLE v. CAPISTRANO
(JOHN LEO)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing the appellant's supplemental reply brief by October 7, 2010, counsel's request for an extension of time in which to file that brief is granted to October 7, 2010. After that date, no further extension is contemplated.

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender John Fresquez's representation that he anticipates filing the appellant's opening brief by April 2012, counsel's request for an extension of time in which to file that brief is granted to November 8, 2010. After that date, only nine further extensions totaling about 510 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S095868**PEOPLE v. DANIELS (DAVID
SCOTT)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Gail R. Weinheimer's representation that she anticipates filing the appellant's opening brief by January 30, 2011, counsel's request for an extension of time in which to file that brief is granted to November 1, 2010. After that date, only two further extensions totaling about 90 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S097363**PEOPLE v. MERRIMAN
(JUSTIN JAMES)**

Extension of time granted

Good cause appearing, and based upon counsel Glen Niemy's representation that he anticipates filing the appellant's opening brief by October 6, 2010, counsel's request for an extension of time in which to file that brief is granted to October 6, 2010. After that date, no further extension is contemplated.

S107900**PEOPLE v. WRIGHT, JR.,
(WILLIAM LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Alison Bernstein's representation that she anticipates filing the appellant's opening brief by July 2011, counsel's request for an extension of time in which to file that brief is granted to November 5, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S112691**PEOPLE v. WESTERFIELD
(DAVID ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 29, 2010.

S119296**PEOPLE v. BATTLE
(THOMAS LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 9, 2010.

S120382**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 8, 2010.

S127119**PEOPLE v. GIVENS (TODD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 8, 2010.

S140173**PEOPLE v. FRIEDMAN
(KENNETH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 8, 2010.

S157098**BUNYARD (JERRY
THOMAS) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel George L. Schraer's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 8, 2010, counsel's request for an extension of time in which to file that document is granted to October 8, 2010. After that date, no further extension will be granted.

S181712

F057690 Fifth Appellate District

**COITO (DEBRA) v. S.C.
(STATE OF CALIFORNIA)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 7, 2010.

S185892**BELL (HORACE) v.
DEPARTMENT OF
CORRECTIONS &
REHABILITATION
(HARRINGTON)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

S185897**BELL (HORACE) v.
DEPARTMENT OF
CORRECTIONS &
REHABILITATION
(TARNOFF)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District.

S186009**SAWYER (THOMAS
COONEY) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SPECIAL SESSION — FRESNO
OCTOBER 5 and 6, 2010**

The following cases are placed upon the calendar of the Supreme Court for hearing at its Special Session at the Court of Appeal, Fifth Appellate District, 2424 Ventura Street, Fresno, California, on October 5 and 6, 2010.

TUESDAY, OCTOBER 5, 2010 — 9:00 A.M.

Opening Remarks: Historic Special Session

- (1) S167791 Martinez et al. v. Regents of the University of California et al.
- (2) S166600 People v. Diaz (Gregory)

1:30 P.M.

- (3) S170758 Pineda v. Bank of America, N.A. (Chin, J., not participating; Richli, J.,
assigned justice pro tempore)
- (4) S163905 People v. Albillar (Albert Andrew) et al.
- (5) S058025 People v. Foster (Richard Don) [Automatic Appeal]

WEDNESDAY, OCTOBER 6, 2010 — 9:00 A.M.

- (6) S175855 Conservatorship of Whitley (Roy)
- (7) S175307 People v. Hajjaj (Firme Hassan)
- (8) S050583 People v. Howard (Demetrius Charles) [Automatic Appeal]

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)